

### **REMARKS**

An RCE is concurrently filed. Claims 1-3, 5-17, 19, and 20 are all the claims presently pending in the application. Although the Examiner considers that claims 2, 4, 10-14, 16, and 18 as withdrawn from consideration, pending allowance of a generic claim, Applicant submits that claims 2, 10-14, and 16 are actually generic to the two embodiments, rather than directed uniquely to the second embodiment shown in Figures 7-9.

It is noted that Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 5, 6, 8, 9, 15, 19, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by EP 0 887 783 to Malkin. Claims 3, 7, and 17 stand rejected under 35 U.S.C. § 103(a) as obvious over Malkin, further in view of US Patent 6,005,608 to Chakrabarti.

These rejections are respectfully traversed in the following discussion.

#### **I. THE CLAIMED INVENTION**

The claimed invention is directed to a stereoscopic image display apparatus. At least two linear image display devices respectively display linear images in response to image signals. A moving mechanism section periodically moves the at least two linear image display devices along at least two locus planes separated from each other and substantially parallel to each other. The moving mechanism includes a pair of pulleys respectively rotating about a pair of rotating shafts, which are spaced apart from and parallel to each other, and a belt member extended between the pair of pulleys. Each linear image display device has a support member having a predetermined length and extending from the belt member and a display unit provided to an end of the support member, the predetermined length being different for one said linear image display device from another said linear display device.

Conventional methods for generating a stereoscopic image, such as discussed beginning in the second full paragraph on page 1 of the specification, have various problems discussed in the first full paragraph on page 2, such as being complicated and large or having a complicated manufacturing method.

The claimed invention, on the other hand, provides a bright and extremely clear stereoscopic image without using complicated optical system or an expensive light transmissible panel.

## II. THE PRIOR ART REJECTIONS

The Examiner continues to allege that Malkin anticipates the claimed invention defined by claims 1, 5, 6, 8, 9, 15, 19, and 20, and, when modified by Chakrabarti, renders obvious the invention defined by claims 3, 7, and 17. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by Malkin.

In Malkin, all the LEDs 12 have the same height. Therefore, all the LEDs 10 move along the single locus plane. In Figure 4 of the present Application, the two linear display units 40 and 50 move along two locus planes because the distance L1 from the belt 30 to the first display unit 40 is different from the distance L2 from the belt 30 to the second display unit 50.

Chakrabarti shows only a single screen. This screen is moved back and forth to create a three-dimensional image. In contrast, the present invention uses two screens 41 (40) and 51 (50) to create a three-dimensional image. Thus, Chakrabarti is very different from the present invention.

Applicants do not revise in this Amendment the arguments from the previous Amendment Under 37 CFR §1.111 filed on January 12, 2006, but, instead add the following observations on the deficiencies of the rejection currently of record and respond on the record to the Examiner's responses in paragraph 8, beginning on page 6 of the Office Action.

First, the Examiner responds that, although Malkin is not specifically directed toward a stereoscopic display, the claimed invention simply defines an intended use in the preamble.

In response, Applicants submit that the stereoscopic effect is due to the offset between the at least two locus planes, not simply a statement of intent in the preamble. Therefore, Applicants submit that the structure defined in the claim limitations does indeed provide the support for the preamble wording such that the preamble wording has patentable weight.

Second, the Examiner responds that: "... *it is clear that Malkin's linear image display devices are separate from each [other] (they do not touch each other except indirectly through the support structure of the disc)*".

In response, Applicants submit that the Examiner's interpretation does not satisfy the plain meaning of the claim language, since the claim limitation wording "separated from each other" does not describe the relative location of the linear image display devices. Rather it describes the "at least two locus planes." In Malkin, there is a single locus plane, not at least two locus planes. Therefore, this single locus plane is inherently not separated from each

other, and Applicants submit that the rejection becomes inconsistent within itself on this interpretation by the Examiner, as well as simply ignoring the plain meaning of the claim language.

Finally, on the top of page 7 the Examiner explains:

*"With regard to the combination of Malkin and Chakrabarti, the teachings of Chakrabarti do not fundamentally change the operation of the Malkin reference. A rotating disk and a pulley system achieve the same affect of a moving reciprocating display and as taught by Chakrabarti the pulley system results in a better moving display then the prior art system of the disc as taught by Malkin. Further although the light source of the Chakrabarti apparatus is stationary, the display (the object looked upon by a user) is the screens ware clearly moving in a similar fashion to that of Malkin."*

In response Applicants submit that the mechanism in primary reference Malkin actually has little similarity with the mechanism in Chakrabarti, as is clear from even a first impression comparing these two references, including at least the following differences:

1. Primary reference Malkin involves a linear light array, as required to satisfy the plain meaning of the independent claims, whereas secondary reference Chakrabarti involves a two-dimensional flat screen;
2. Primary reference Malkin rotates its linear light arrays around a perpendicular axis, whereas secondary reference Chakrabarti uses a motion that advances/recedes the flat display linearly toward/away from the viewer; and
3. Primary reference Malkin requires at least two linear image display devices to achieve its intended function, as required to satisfy the plain meaning of the language of the independent claims, whereas a second two-dimensional flat screen in the secondary reference Chakrabarti would render it inoperable.

Applicants further submit that the Examiner's argument in the final subparagraph of paragraph is inherently logically contradictory in that it alleges that because, according to the Examiner's subjective evaluation, the secondary reference "results in better moving display than the prior art system of the disc as taught in Malkin", somehow the Examiner's immediately preceding statement that the two devices operate on different principles are cancelled, eliminated, or overcome simply because both achieve a similar effect.

Moreover, the Examiner's position is again self contradictory to the premise in the following sentence (*"Further although the light source of the Chakrabarti apparatus is stationary, the display (the object looked upon by a user) is the screens which are clearly*

*moving in a similar fashion to that of Malkin*”), wherein the Examiner first concedes that there is a difference in mechanism, but that the similar effect (according to the Examiner) somehow overcomes this conceded difference.

Therefore, Applicants again submit that there are elements of the claimed invention that are not taught or suggest by Malkin, and that all claims are, therefore allowable over the references currently of record. Applicants, therefore, respectfully request that the Examiner reconsider and withdraw this rejection.

### III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-3, 5-17, 19, and 20, all of the claims in the application under current evaluation, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney’s Deposit Account No. 50-0481.

Respectfully Submitted,

Date: \_\_\_\_\_

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